IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

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**WRIT PETITION NO : 12279 of 2004**

Between:

Dappili Koteswar Reddy, S/o. Venkat Reddy,
R/o. Narsimulugudem, H/o. Nidmanoor, Nalgonda District.

**..... PETITIONER**

AND

1 The Superintendent of Police, Nalgonda.
2 The Deputy Superintendent of Police, Nalgonda.
3 The Station House Officer, II Town, Police Station, Nalgona.
4 Bobbala Srinivas Reddy, S/o. Pitchi Reddy,
R/o. Ramulabanda (v), Post : Kakula Kondaram,

Nalgonda Mandal and District.
5 Komati Reddy Gopal Reddy, S/o. Ganda Reddy,
A.P.S.R.T.C., Nalgonda Depot

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more in the nature of Writ of Mandamus declaring the action of the respondents 1 and 3 in summoning to the Police Station by interfering with the liberty of the petitioner without there being a case registered against him as illegal, arbitrary, unjust and unconstitutional, besides being violative of principles of Natural Justice, while issuing a consequential direction to the respondents 1 and 3 not to interfere with the liberty of the petitioner except due process of law in the interest of Justice.

**Counsel for the Petitioner: MR.D.GOVARDHANACHARY**

**Counsel for the Respondents 1 to 3: G.P. FOR HOME**

**The Court made the following:**



**ORDER**:

The petitioner, who is a practicing Advocate in Nalgonda District, filed this writ petition seeking a declaration that the alleged action of the respondents 1 and 3 in summoning him to the Police Station by interfering with his liberty, without there being any justifiable reason, as illegal and arbitrary.

The specific case of the petitioner is that though no crime was registered against him in connection with any offence, he was summoned to the II Town Police Station, Nalgonda, on 11-07-2004, by using force, where the respondents 3 and 4 and their relations were present, and the second respondent coerced the petitioner to settle with the respondents 3 and 4, the transfer of his immovable properties in the name of his wife, by name Smt.Saritha. Hence, this writ petition.

The third respondent, Sub-Inspector of Police, II Town Police Station, Nalgonda, filed a detailed counter affidavit before this Court stating that no case whatsoever has been registered either on the complaint of the petitioner or against the petitioner in II Town Police Station, Nalgonda. It is further stated that the petitioner was never taken forcibly to the family counseling and the alleged harassment of the police is also false and that it is also categorically stated that the third respondent never summoned the petitioner to the II Town Police Station, Nalgonda. It is further stated

that no person including the respondents 4 and 5, or the wife of the petitioner has approached or made any complaint against the petitioner.

Having regard to the specific averments of the respondents 2 and 3 in their counter affidavit, which stood unrebutted, no adjudication is necessary in this writ petition on merits. Accordingly, the Writ Petition is disposed of recording the statement of the 3rd respondent in his counter affidavit and with a direction that the petitioner shall not be summoned to the Police Station and that there shall not be any interference with his life and liberty except in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

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**G. Rohini, J**

23rd August, 2004

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintendent of Police, Nalgonda.
2 The Deputy Superintendent of Police, Nalgonda.
3 The Station House Officer, II Town, Police Station, Nalgona.
4. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.